IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

REGINALD H. CULVER, individually, *et al.*,

        Plaintiffs,

vs.

LITHIA MOTORS INC., *et al.*,   Civ. No. 15-669 MCA/SCY

        Defendants.

and

LITHIA REAL ESTATE, INC.,

        Counterclaimant/Third-Party Plaintiff,

vs.

REGINALD CULVER, as trustee of the
CULVER REVOCABLE TRUST;
FRANK CULVER, as successor trustee of the
CULVER REVOCABLE TRUST,

        Counterdefendants/Third Party-Defendants.

**ORDER ADOPTING
MAGISTRATE JUDGE'S PROPOSED FINDINGS
<u>AND RECOMMENDED DISPOSTION</u>**

      This matter is before the Court upon Movant's *Objections to Proposed Findings*

and Recommended Disposition [Doc. 88] and Lithia Real Estate, Inc.'s *Objection to*

Magistrate's Proposed Findings and Disposition Regarding Plaintiff's Motion to Amend

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Complaint [Doc. 89]. The Court has considered the written submissions of the parties, the

record in this case and the applicable law, and is otherwise fully advised.

Having made a de novo review of those portions of the *Proposed Findings and*

Recommended Disposition to which objections have been made, 28 U.S.C.

§ 636(b)(1), the Court finds itself in agreement with the Magistrate Judge's detailed and

closely reasoned *Proposed Findings and Recommended Disposition*.

WHEREFORE, IT HEREBY IS ORDERED that Defendants' *Objections* are

overruled and that the Magistrate Judge's *Proposed Findings and Recommended*

Disposition [Doc. 85] are adopted as the decision of the Court;

IT FURTHER IS ORDERED that Plaintiff's *Motion to File First Amended*

Complaint [Doc. 14] is **granted**;

IT FURTHER IS ORDERED Movant's *Motion for Protective Order or to Stay*

Deposition, to Unseal the Pleadings, to Allow Access to Discovery Documents, and for an

Award of Fees and Expenses [Doc. 54] is **denied**; and

IT FURTHER IS ORDERED that pursuant to 28 U.S.C.§§ 1447(c) and (e) this

case is **remanded** to the First Judicial District Court of New Mexico whence it was

removed.

So ordered this 18ᵗʰ day of July, 2016.

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M. CHRISTINA ARMIJO
Chief United States District Judge

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